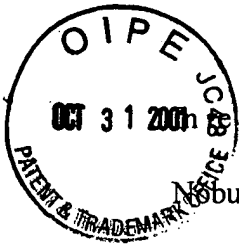


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application of

: Group Art Unit 2856

Nobuyuki BABA et al.

: Examiner T. NOLAND

Serial No. 09/919,796

:

Filed August 2, 2001

:

Docket No. 2001_1015A

HYBRID PIPETTE

 RECEIVED
 10-5-2001
 TECHNOLOGY CENTER 2600
REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT
 Assistant Commissioner for Patents,
 Washington, DC 20231

Sir:

In response to the Notice of Non-Compliant Amendment dated October 23, 2001, submitted herewith is a copy of the Preliminary Amendment filed on August 2, 2001 along with the required "marked-up" version of the amended claims under 37 C.F.R. § 1.21.

Also enclosed are a copy of the Notice and the date-stamped postcard receipt. The postcard indicates that the Preliminary Amendment and the version to show changes made was received by the Patent Office.

Respectfully submitted,

Nobuyuki BABA et al.

By:

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Registration No. 40,268

Attorney for Applicants

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 October 31, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 31 2001

JCA83

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NO.

FILING DATE

FIRST NAMED INVENTOR

ATTORNEY DOCKET NO.

09/919,796 08/02/01 BABA

N EXAMINER 1015A

000513 MM41/1023
WENDEROTH, LIND & PONACK, L.L.P.
2033 K STREET N. W.
SUITE 800
WASHINGTON DC 20006-1021

ART UNIT

PAPER NUMBER

NOLAND, T

DATE MAILED:

2856

10/23/01

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 8.2.01 is considered non-compliant because it has not been submitted in the format required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000).

- ☐ 1. The amendment does not include a clean version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(ii).
- ☐ 2. The amendment does not include a marked-up version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(iii).
- ☐ 3. The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i).
- ☒ 4. The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii).
- ☐ 5. Other _____

☒ **PRELIMINARY AMENDMENT:** Unless applicant re-submits the preliminary amendment in compliance with revised 37 CFR 1.121 within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

☐ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

For your convenience, attached to this correspondence is a copy of an informational flyer (MPEP Bookmark Bulletin on "Simplified Amendment Practice").

Christine Wells
Legal Instruments Examiner

703.308.8565

OCT 30 2001



COPY

ATTY DOCKET # 2001_1015A

Due Date: August 3, 2001

OUR REF: 2001_1015A/MSH/00325

Applicant: Nobuyuki BABA et al.

Serial No.: NEW Filing Date: August 2, 2001

Title: HYBRID PIPETTE

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

Receipt of the following papers is acknowledged:

1. Utility Patent Application Transmittal (37 CFR 1.53(b))
2. Patent Office Fee Transmittal Form [in duplicate]
3. Specification comprising 37 pages, including claims and abstract
4. 15 sheets drawings (A4P, Figs. 1-17)
5. Declaration and Power of Attorney [executed]
6. Recordation Form Cover Sheet, and Assignment
7. Preliminary Amendment w/Version with Markings to Show Changes Made
8. Claim of Priority Under 35 USC 119, and certified copy of Japan Patent Application No. 235793/2000
9. Check in the amount of \$984.00

11046 U.S. PTO
09/19/96
08/02/01

Date: August 2, 2001

Attorney: MSH/kjf

[Check No. 45791]

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